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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
Gavrilovich-P1US2

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on May 03, 2004

Signature

Typed or printed

name Charles D. Gavrilovich, Jr.

In re Application of
Charles D. Gavrilovich

Application Number
09/401,584

Filed
9/22/1999

For Mobile Communication System With Moving Base Station

Art Unit
2681

Examiner
Joy Contee

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ 165.00

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge any fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 502484. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record.
Registration number 41031

☐ attorney or agent acting under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a): _____

Signature

Charles D. Gavrilovich, Jr.
Typed or printed name

619 271 0382
Telephone number

May 03, 2004
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Charles D. Gavrilovich

Serial No.: 09/401,584

Filed: September 22, 1999

For: **MOBILE COMMUNICATION SYSTEM WITH MOVING BASE STATION**

Group No.: 2681

Examiner: Joy Contee

Docket No. Gavrilovich P1US2

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date May 03, 2004, in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.

May 03, 2004
Date

[Signature]
Signature

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

NOTICE OF APPEAL

In response to the Advisory Action dated April 05, 2004, applicant is filing a Notice of Appeal. This Notice of Appeal is being filed within one month of the mailing of the Advisory Action and a petition and a fee for one month extension of time are filed herewith. If, however, it is determined that additional fees are due, the Commissioner is hereby authorized to charge Deposit Account Number 502484.

Respectfully submitted,

Date: May 03, 2004

By: [Signature]
Charles D. Gavrilovich, Jr.
Reg. No. 41,031

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